

REMARKS

Favorable reconsideration of this application is respectfully requested in view of the claim amendments and following remarks.

Status of Claims

Claims 1, 10, 13, 16-23 have been amended and claims 31-35 have been added.

Claims 3, 14, and 28 have been canceled and claims 2, 15 and 29 were previously canceled without prejudice or disclaimer of the subject matter contained therein. Support for new claims 31-35 may at least be found on page 7, lines 3-5 of the originally filed specification, Figure 4, as well as the originally filed claims.

Claims 1, 4-13, 16-27, and 30-35 are currently pending in the application of which claims 1, 13, 25, and 31 are independent. Claims 11, 12, 21, 24-27 and 30 are withdrawn from consideration as being drawn to a nonelected invention.

No new matter has been introduced by way of the amendments above. Entry thereof is therefore respectfully requested.

Summary of the Office Action

Claims 22 and 23 were objected to because of minor informalities.

Claims 1, 5-9 and 13 were rejected under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. Patent No. 7,147,790 to Wachenschwanz et al. (hereinafter “Wachenschwanz”).

Claims 1, 4-6 and 13 were rejected under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. Patent No. 7,482,207 to Brown et al. (hereinafter “Brown”).

Drawings

The Office Action did not indicate whether the formal drawings filed with the application are accepted. Indication of acceptance of the drawings is requested.

Allowable Subject Matter

The indicated allowability of claim 2 and 15 has been withdrawn in view of the newly discovered reference(s) over Brown and Wachenschwanz.

The indication that claims 3, 10, 14 and 16-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims is noted with appreciation. As noted above, independent claim 1 has been amended to incorporate the features of allowable claim 3 and independent claim 13 has been amended to incorporate the features of allowable claim 14. Accordingly, it is respectfully submitted that independent claims 1 and 13 and the claims are allowable over the cited documents of record.

The Examiner is therefore respectfully requested to issue an early indication of allowability.

Information Disclosure Statement

The indication that the documents cited in the Information Disclosure Statement submitted on January 10, 2011 have been considered is hereby acknowledged with appreciation.

Claim Objections

Claim 22 and 23 were objected to because of the following informalities: Claims 22-23 depend on cancelled claim 15. Claims 22 and 23 have been amended to depend upon claim 13. The Examiner is therefore respectfully requested to withdraw the objection to claims 22 and 23.

Claim Rejection Under 35 U.S.C. §102

The test for determining if a reference anticipates a claim, for purposes of a rejection under 35 U.S.C. § 102, is whether the reference discloses all the elements of the combination in the claim, or the mechanical equivalents thereof functioning in substantially the same way to produce substantially the same results. As noted by the Court of Appeals for the Federal Circuit in *Lindemann Maschinenfabrik GmbH v. American Hoist and Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984), in evaluating the sufficiency of an anticipation rejection under 35 U.S.C. § 102, the Court stated:

Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim.

Therefore, if the cited reference does not disclose each and every element of the claim, then the cited reference fails to anticipate the claim and, thus, the claim is distinguishable over the cited reference.

Claims 1, 5-9 and 13

Claims 1, 5-9 and 13 were rejected under 35 U.S.C. §102(e) as allegedly being anticipated by Wachenschwanz.

Independent claims 1 and 13 have been amended to respectively incorporate the features of allowable claims 3 and 14. The Examiner is therefore respectfully requested to withdraw the rejection of independent claims 1 and 13 and the claims that depend therefrom and to allow these claims.

Claims 1, 4-6 and 13

Claims 1, 4-6 and 13 were rejected under 35 U.S.C. §102(e) as allegedly being anticipated by Brown.

Independent claims 1 and 13 have been amended to respectively incorporate the features of allowable claims 3 and 14. The Examiner is therefore respectfully requested to withdraw the rejection of independent claims 1 and 13 and the claims that depend therefrom and to allow these claims.

Newly Added Claims

Independent claim 31 recites:

A method for forming a semiconductor device comprising:
forming a 3-dimensional (3D) pattern in a substrate by,
depositing a layer of material onto the substrate, wherein the substrate comprises a polyimide material;
imprinting a 3D pattern into the layer of material without imprinting the 3D pattern into the substrate; and
transferring the 3D pattern into the substrate; and
depositing at least one material over the substrate in accordance with desired characteristics of the semiconductor device.

In contrast, Waschenschwanz discloses that a NiP (nickel-phosphorous) layer 610 receives an embossable layer 615, and that a 3D pattern that is imprinted onto the embossable layer 615 is transferred into the NiP layer 610. *Waschenschwanz*, Figures 6A-6I, col. 9, line 9-col. 10, line 22. As such, Waschenschwanz fails to disclose depositing a layer of material on the substrate, wherein the substrate comprises a polyimide material as recited in independent claim 31.

In addition, Brown discloses that a conducting layer 55 and a substrate 54 are embossed by a tool 56. *Brown*, Figure 6, col. 8, lines 16-21. As such, Brown fails to disclose imprinting a 3D pattern into the layer of material without imprinting the 3D pattern into the substrate, as recited in independent claim 31.

Accordingly, neither Waschenschwanz nor Brown discloses each and every element recited in independent claim 31. The Examiner is therefore respectfully requested to allow independent claim 31 and the claims that depend therefrom.

Conclusion

In light of the foregoing, withdrawal of the rejections of record and allowance of this application are earnestly solicited. Should the Examiner believe that a telephone conference with the undersigned would assist in resolving any issues pertaining to the allowability of the above-identified application, please contact the undersigned at the telephone number listed below. Please grant any required extensions of time and charge any fees due in connection with this request to Deposit Account No. 08-2025.

Respectfully submitted,

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